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February 10, 2000

Date

Shelley P.M. Fussey

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Sophia Ran

Serial No.: 09/351,149

Filed: July 12, 1999

For: CANCER TREATMENT KITS  
COMPRISING THERAPEUTIC  
CONJUGATES THAT BIND TO  
AMINOPHOSPHOLIPIDS

Group Art Unit: 1616

Examiner: Sharareh, S.

Atty. Dkt. No.: 4001.002383

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98 (a)(3), a concise explanation of the relevance of the foreign language document submitted (Tobelem, 1990; Reference C47), as it is presently understood, is supplied. The statement submitted takes the form of the abstract of the reference, which is the only English text available. Applicants' submission of this information alone is motivated solely by the high cost of obtaining a translation of the full length document, and should in no way be interpreted as a failure to comply with the duty of disclosure or an intent to deceive the Examiner.

Tobelem, 1990:

"Summary: Anti-phospholipid antibodies: specificity and mechanism of action.

Circulating lupus-type anticoagulant is associated with an increased risk of arterial or venous thrombosis. The laboratory identification of lupus coagulant requires at least 2 different *in vitro* phospholipid-dependent coagulation techniques: immunological assessment based upon Elisa-type tests using pure phospholipids complements the coagulation procedure, but does not replace it. Circulating lupus anticoagulant is correlated with anti-phospholipid antibodies specific to phosphatidyl serine. Relationships between circulating lupus anticoagulant and anti-cardiolipin seem complex and are discussed. In fact, an entire family of anti-phospholipid antibodies exists, whose relationship with clinical manifestations remains to be determined. The effects of anti-phospholipid antibodies on human endothelial cells are described.

*Key words:* Systemic lupus erythematosus - Anti-phospholipid antibodies  
- Circulating lupus anticoagulant - Thromboses."

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of the present statement, as evidenced by the date of the enclosed search report (January 26, 2000).

In any event, the present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4001.002383.

Respectfully submitted,



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Date: February 10, 2000